IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO. 9417 OF 2004

J.T. Khatwani ..... Petitioner.

versus

Union of India and ors. .... Respondents.

.....

Ms. Ritu Singh for the petitioner.

.....

CORAM ; V.G.PALSHIKAR &
SMT. NISHITA MHATRE, JJ.

DATED; 14TH FEBRUARY 2005.

P.C.;

1. By this petition, the petitioner has challenged the concurrent orders passed by the departmental authorities imposing punishment for the charges proved. The orders are assailed on the ground that the petitioner cannot be deemed to be absent from service as it was post facto sanctioned on all the occasions when he was on leave.

2. The charge against the petitioner is that he was absent from duty and that absence was unauthorised and was without prior permission. Factually there has been post facto sanction to the leave claimed by the petitioner. Apart from that in his representation the

petitioner has unequivocally stated (see Exh.O page 80)

that:

> "Sir, I fully accept the findings of the Inquiring authority and I have nothing to represent against his findings."

In the face of this admission, we see no reason to interfere in writ jurisdiction. Petition accordingly dismissed.

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